

ST CIRCUIT COURT  
STATE OF HAWAII  
FILED

GLENN D. CHOY 1985  
735 Bishop Street, Suite 322  
Honolulu, Hawaii 96813  
Telephone: (808) 533-7007

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Attorney for SAMUEL K. KAAUWAI, III

R. HIGA  
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

SAMUEL K. KAAUWAI, III,	)	S.P. NO. 06-1-0193
	)	
Movant,	)	APPLICATION FOR WRIT OF
	)	HABEAS CORPUS AD
v.	)	TESTIFICANDUM; ORDER
	)	DIRECTING ISSUANCE OF
BOISSE CORREA, Chief of	)	WRIT OF HABEAS CORPUS AD
Police, City and County of	)	TESTIFICANDUM; WRIT OF
Honolulu,	)	HABEAS CORPUS AD
	)	TESTIFICANDUM
Respondent.	)	
	)	

APPLICATION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

TO THE HONORABLE DERRICK H. M. CHAN, JUDGE OF THE  
ABOVE-ENTITLED COURT:

Comes now SAMUEL K. KAAUWAI, III, through his attorney, Glenn Choy, and respectfully alleges as follows:

1. That SAMUEL K. KAAUWAI, III has a case in the Circuit Court of the First Circuit, S.P. No. 06-1-0193;
2. That a hearing on said case is scheduled for Thursday, July 27, 2006, at 10:15 a.m., before Your Honor;
3. That SAMUEL K. KAAUWAI, III is now imprisoned under the custody of the United States Marshal, District of Hawaii, and is detained at the Federal Detention Center, Honolulu;
4. That in order to procure the presence of MR. KAAUWAI in the Circuit Court, it is necessary that a Writ of Habeas Corpus ad Testificandum be issued, pursuant to Chapter 660, Hawaii Revised Statutes;

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

EXHIBIT

B

Clerk, Circuit Court, First Circuit

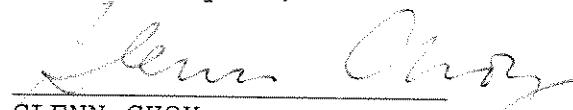
WHEREFORE, Applicant prays that the Clerk of this Court be directed to issue a Writ of Habeas Corpus ad Testificandum commanding:

United States Marshal, District of Hawaii, or his/her deputy to make available the body of SAMUEL K. KAAUWAI, III to officials of the State of Hawaii on Thursday, July 27, 2006, and at any time or times deemed necessary until the conclusion of S.P. No. 06-1-0193; and

Officials of the State of Hawaii, upon taking custody of SAMUEL K. KAAUWAI, III each time, to:

- a. Bring him before the Honorable Derrick H. M. Chan, Judge of the Circuit Court of the First Circuit, on Thursday, July 27, 2006 at 10:15 a.m.;
- b. Return him to the custody of the United States Marshal, District of Hawaii, that same day;
- c. Bring him before the presiding Judge of the Circuit Court of the First Circuit, at any time or times deemed necessary until the conclusion of hearings on S.P. No. 06-1-0193; and thereafter
- d. Return him to the custody of the United States Marshal, District of Hawaii, each time.

DATED at Honolulu, Hawaii: May 30, 2006.

  
Glenn Choy  
GLENN CHOY  
Attorney for SAMUEL K. KAAUWAI, III

ORDER DIRECTING ISSUANCE OF WRIT OF HABEAS CORPUS AD  
TESTIFICANDUM

GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED that the Clerk of Court, First Circuit, State of Hawaii, is instructed to issue the Writ of Habeas Corpus ad Testificandum prayed for in the foregoing Application.

DATED at Honolulu, Hawaii: JUN - 7 2006, 2006

DERRICK H.M. CHAN

DERRICK H. M. CHAN  
Judge of the Above-Entitled Court



WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: UNITED STATES MARSHAL, District of Hawaii, or His/Her Deputy; and

OFFICIALS OF THE STATE OF HAWAII

GREETINGS:

We command that you, UNITED STATES MARSHAL, District of Hawaii, or your Deputy, produce the body of SAMUEL K. KAAUWAI, III, who is presently detained as a federal prisoner under your custody, to OFFICIALS OF THE STATE OF HAWAII on Thursday, July 27, 2006, and at any time or times deemed necessary until the conclusion of hearings under S.P. No. 06-1-0193; and

STATE OF HAWAII OFFICIALS, upon taking custody of SAMUEL K. KAAUWAI, III, to:

1. Bring him before the Honorable Derrick H. M. Chan, Judge of the Circuit Court of the First Circuit, on Thursday, July 27, 2006 at 10:15 a.m.;

2. Return him to the custody of the United States Marshal, District of Hawaii, that same day;

3. Bring him before the presiding Judge of the Circuit Court of the First Circuit, at any time or times deemed necessary until the conclusion of hearings on S.P. No. 06-1-0193; and thereafter

4. Return him to the custody of the United States Marshal, District of Hawaii, each time.

Upon completion of the above and conclusion of hearings under S.P. No. 06-1-0193, it shall be deemed sufficient compliance with this Writ.

WITNESS the Honorable Derrick H. M. Chan, Judge of the Circuit Court of the First Circuit at Honolulu, Hawaii, and the seal of this Court this 7<sup>th</sup> day of June, 2006.

/s/ Sandra Arashiro  
Clerk, Circuit Court of the First  
Circuit, State of Hawaii

APPROVED AND SO ORDERED:

DERRICK H.M. CHAN  
JUDGE OF THE ABOVE-ENTITLED COURT

